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VIA FOIAonline.gov

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania NW, Room 5315
Washington, DC 20460

Regional Freedom of Information Officer
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard (MI-10J)
Chicago, IL 60604-3590

Re: Freedom of Information Request

To Whom It May Concern:

This document request is submitted pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.* This request concerns the U.S. Environmental Protection Agency’s (“EPA’s”) files relating to the Midwest Can Company (“MWC”).

All references to “Documents” shall mean any information kept, held, filed, produced, or reproduced – in physical or electronic form – by, with, or for the EPA. All references to “Communications” shall mean emails, letters, faxes, notes from meetings and/or phone calls, and all other records of oral or written correspondence.

The period covered by this FOIA request shall be December 1, 2008 through the present date.

- 1) All Documents and Communications concerning meetings held at EPA’s offices in Ann Arbor, Michigan between representatives of MWC and representatives of the EPA, and/or SGS. Attendees may have included, but were not necessarily limited to, Cleophas Jackson (EPA), Julia Giuliano (EPA), Phillip Carlson (EPA), Frank Anglin (MWC), Ralph Johnson (MWC), John Evans (MWC), and/or Andrew Meloeny (SGS).

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- 2) All Documents and Communications concerning, evidencing or otherwise relating to MWC's compliance with state or federal Portable Fuel Container ("PFC") standards, regulations, or statutory provisions.
- 3) All Documents and Communications submitted by MWC to the EPA via the EPA's Verify system or any analogous system for submission of applications for certificates of conformity, warranty claim information and/or any other PFC compliance-related information or data.
- 4) All Documents and Communications between the EPA's Environmental Appeals Board (including its judges, clerks and/or staff) and the EPA's Office of Civil Enforcement (including its managers, lawyers, engineers and/or staff) regarding the settlement of any claim regarding alleged noncompliance with PFC standards. Such Documents and Communications include, without limitation, any memoranda describing or otherwise evidencing how the settlement penalty was calculated.
- 5) All Documents and Communications between the EPA and any PFC manufacturer regarding claims for alleged noncompliance with PFC standards, to the extent such claims have been settled or otherwise resolved.

If you believe that this request fails to reasonably describe the requested records, please contact me by email at maxwellk@gtlaw.com or by phone at (215) 988-7814. Please send the responsive records in electronic form by e-mail or CD, to the extent possible. Otherwise, we will pay for paper copies, but please let me know in advance of incurring any copying expense in excess of \$250.00.

Respectfully submitted,

s/Kaitlyn R. Maxwell

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